

February 10, 2006

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

Re: D.T.E. 06-5; Massachusetts Electric Company and Nantucket Electric Company, d/b/a
National Grid.

Dear Secretary Cottrell:

Pursuant to 220 C.M.R. 1.04 (5)(a), the Attorney General requests a change in the date of the evidentiary hearing set by the Hearing Officer in his February 9, 2006 Order. The Hearing Officer's procedural order provides for an evidentiary hearing in this matter on Tuesday, February 14, 2006 and provides only two business days notice.

The Attorney General requests that the Department reschedule the evidentiary hearing to Friday, February 17, 2006 or such subsequent date that the Department determines is appropriate.

The Attorney General and the Department have issued discovery concerning the Company's filing. At this time, the Company has not responded to the Department's first set of discovery nor Attorney General's second set of information requests. General Laws c. 30A, § 10 requires the Department to "afford all parties an opportunity for full and fair hearing." Further, G.L. c. 30, § 11 requires that the Department provide parties with a "reasonable opportunity to prepare and present evidence and argument."

The current procedural schedule fails to provide the Attorney General with a reasonable opportunity to prepare and present evidence. Even if the Attorney General were to receive the outstanding discovery today, there is insufficient time to review the responses in time for Tuesday's evidentiary hearing.

Consistent with the provisions of the Administrative Procedures Act, the Attorney General requests a delay the evidentiary hearings in this matter to allow for the completion of discovery and adequate preparation.

Sincerely,

Colleen McConnell
Assistant Attorney General

cc: John Geary, Hearing Officer
Amy Rabinowitz, Esq., National Grid